



# **SCHOOL BOARD ACTION REPORT**

**DATE:** May 8, 2019  
**FROM:** Denise Juneau, Superintendent  
**LEAD STAFF:** Ronald Boy, Acting Chief Legal Counsel, rdboy@seattleschools.org

**For Introduction:** June 26, 2019  
**For Action:** July 10, 2019

## **1. TITLE**

Approval of Board Policy No. 3224, Student Dress.

## **2. PURPOSE**

This motion, if approved, would establish a universal student dress policy for all students in the district.

## **3. RECOMMENDED MOTION**

I move that the School Board approve Board Policy No. 3224, Student Dress, as attached to the Board Action Report.

## **4. BACKGROUND INFORMATION**

### **a. Background**

Board Policy No. 3224, Student Dress, is a new policy developed in response to school leader, community, student, general counsel, and School Board concerns regarding the lack of a District policy on school dress and dress code enforcement at our schools. Currently, individual schools create and implement their own school-specific dress codes. The passage of this motion will provide all District schools with the same dress code policy to follow, ensuring consistency and conformance with applicable law.

School dress codes have a long history in our society and are often over-reaching and biased against the female gender. With this policy, it was the hope to eliminate unnecessary notions regarding such things as clothing length and subjective views of appropriate school attire. Instead, we endeavored to focus on the essential elements of student dress. In brief, students must wear a top, bottom, and footwear and must not wear clothing that: is vulgar; sexually suggestive; obscene; libelous; contain threats; or that promote illegal or violent conduct such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia; uses hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups; intentionally shows private parts (nipples, genitals, buttocks); covers the student's face (except clothing/headgear worn for a religious or medical purpose); or demonstrates gang or hate group affiliation or membership.

The policy emphasizes that regulation of student dress must be free from bias and all students have the right to be treated equitably. Proper enforcement of the policy will be

reflected in enforcement that treats each student with respect and objectivity regardless of: sex; race; religious belief; sexual orientation; gender expression or identity; ethnicity; physical characteristics; or the presence of any sensory, mental, or physical disability.

Under this policy, students will not be disciplined or removed from class as a consequence for wearing inappropriate attire unless the attire creates a substantial disruption to the educational environment, creates a hazard to the health or safety of others, or is a factor in a student behavior rule violation such as malicious harassment or the prohibition on harassment, intimidation, and bullying. If a violation occurs, a student may be instructed to leave their classroom briefly to change clothes. The Principal or their designee should notify a student's parents/guardians of the school's response to violations of the student dress policy.

On June 3, 2019, the Seattle Council PTSA adopted a resolution urging the Board to standardize district's dress code and provide guidelines to ensure equitable enforcement of the code across Seattle Public Schools. The resolution provided valuable edits to the proposed policy that enhanced clarity and the stated values.

**b. Alternatives**

Not adopt this policy and allow schools to continue to establish their own student dress policies. This is not recommended as this policy gives consistent guidelines to schools, will create uniform expectations for students as they move up in grade and change schools, and help to minimize legal risk assuring that we have a singular student dress policy that complies with the law.

**c. Research**

We reviewed a number of student dress codes to develop the language for this policy:

- Los Angeles Unified School District, Student Dress Codes/Uniforms, BUL-6494.1
- San Francisco Unified School District, Dress Code for Students
- Oregon National Organization for Woman, Model Dress Code
- North Creek High School (Bothell, WA), Student Handbook, Dress Code

**5. FISCAL IMPACT/REVENUE SOURCE**

Fiscal impact to this action will be N/A.

This motion has no fiscal impact.

Expenditure:  One-time  Annual  Multi-Year  N/A

Revenue:  One-time  Annual  Multi-Year  N/A

**6. COMMUNITY ENGAGEMENT**

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve - Uniforms

Tier 3: Collaborate – Policy Development

### Policy Development

The development of this policy was shaped by collaborating with stakeholders to receive their feedback and assistance in formulating the text:

- Students at Garfield High School developed the first version of the policy which then evolved over time through meetings with them to solicit their feedback.
- The policy then went to the Superintendent’s Student Advisory Board who provided additional feedback and made their own edits to the text of the policy over the course of multiple meetings.
- Throughout the process the policy was reviewed by a select group of school principals and school staff who provided feedback and suggested edits to the content.
- Once the policy was considered fairly complete, it was sent to all K-12 school principals and many provided feedback and suggestions that were incorporated into the final version of the policy.

### Uniforms

To determine whether existing schools with uniform requirements would be permitted to continue, we obtained feedback from the stakeholders. Feedback was first obtained by reaching out to the schools’ principals and PTSAs to ask if they liked having school uniforms and whether they would like to see them continue. The response from both was strongly affirmative that they appreciated the uniform policy and wanted to see it continue.

Then, to obtain further insight into the community’s perspective on uniforms, we distributed a survey to school staff, parent/guardians, and 5<sup>th</sup> and 8<sup>th</sup> grade students at the schools. The survey asked two simple questions: (1) Do you like having a school uniform? Why? and (2) Should your school continue to have uniforms? Why?

The survey was distributed this week and results of the survey will be distributed to the Board when it concludes. Results will be distributed to the Board the week of July 24<sup>th</sup>.

## 7. **EQUITY ANALYSIS**

Using the Racial Equity Analysis tool, it was determined that this policy will help to support all students in receiving fair treatment in regard to student dress. By paring down our student dress expectations to what is essential and taking a strong stance in the policy language that all students have the right to be treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style, we will hopefully avoid inequitable enforcement of student dress code.

## 8. **STUDENT BENEFIT**

Adoption of the policy will provide simple, clear guidelines for students that should be easy to follow and help students to avoid unnecessary barriers to school attendance.

**9. WHY BOARD ACTION IS NECESSARY**

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. \_\_\_\_\_, [TITLE], provides the Board shall approve this item
- Other: \_\_\_\_\_

**10. POLICY IMPLICATION**

This motion would adopt a new policy to establish expectations for student dress.

**11. BOARD COMMITTEE RECOMMENDATION**


This motion was discussed at the Curriculum & Instruction Policy Committee meeting on May 21, 2019 and June 11, 2019. The Committee reviewed the motion and moved the item forward for consideration by the full board.

**12. TIMELINE FOR IMPLEMENTATION**

Upon approval of this motion, the new policy will immediately go into effect and will be shared with all school leaders and posted online. An education plan will be developed to ensure that school leaders are trained on the correct application of this policy.

**13. ATTACHMENTS**

- Board Policy No. 3224, Student Dress (Clean - for approval)
- Board Policy No. 3224, Student Dress (red-lined - for reference)
- Seattle Council PTSA Dress Code Resolution
- Policy 3224 and SCPTSA Comparative Analysis

	<p>STUDENT DRESS</p>	<p>Policy No. 3224</p> <p>[DATE]</p> <p>Page 1 of 3</p>
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It is the policy of the Seattle School Board that the student and their parent/guardian hold the primary responsibility in determining the student’s personal attire, jewelry, and personal items (e.g. backpacks, book bags). Schools are responsible for assuring that student attire, jewelry, and personal items do not interfere with the health or safety of any student and do not contribute to a hostile or intimidating environment for any student.

Core Values

In relation to student dress, the district’s core values are the following:

- Students should be able to dress for school in a manner that expresses their individuality without fear of unnecessary discipline or body shaming;
- Students have the right to be treated equitably. Dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity;
- Students and staff are responsible for managing their personal distractions; and
- Students should not face unnecessary barriers to school attendance.

Universal Dress Code

Students must wear:

- Top (shirt, blouse, sweater, sweatshirt, tank, etc.);
- Bottom (pants, shorts, skirt, dress, etc.); and
- Footwear.

This policy permits additional student attire requirements when necessary to ensure safety in certain academic settings (e.g. physical activity, science or CTE courses). Additionally, this policy allows for reasonable variation in required student attire for participation in activities such as swimming or gymnastics.

Students may not wear clothing, jewelry, or personal items that:

- Are pornographic, obscene, contain threats, or that promote illegal or violent conduct such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia;
- Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups;
- Intentionally show private parts (nipples, genitals, buttocks). Clothing must cover private parts in opaque (not able to be seen-through) material;
- Cover the student's face to the extent that the student is not identifiable (except clothing/headgear worn for a religious or medical purpose); or
- Demonstrate gang association/affiliation.

Attire worn in observance of a student's religion are not subject to this policy.

This policy permits schools with a uniform policy to continue having a uniform policy provided that it is gender neutral and inclusive of attire worn for a religious reason.

### Enforcement

Principals are required to ensure that all staff are aware of and understand the guidelines of this policy.

Staff will use reasonable efforts to avoid dress-coding students in front of other students.

Students shall not be disciplined or removed from class as a consequence for wearing attire in violation of this policy unless the attire creates a substantial disruption to the educational environment, poses a hazard to the health or safety of others, or factors into a student behavior rule violation such as malicious harassment or the prohibition on harassment, intimidation, and bullying. Further, no student shall be referred to as "a distraction" due to their attire.

Typical consequences for a violation of this policy include parent/guardian contact or conference and the directive to cover, change, or remove the non-complying attire. A student may be instructed to leave their classroom briefly to

change clothes. The Principal or their designee should notify a student's parent/guardian of the school's response to violations of the student dress policy.

The Superintendent or their designee is authorized to develop procedures in order to implement this policy if needed.

Adopted: [date]

Revised:


Cross Reference: Policy Nos. 3200; 3207; 3433

Related Superintendent Procedure:

Previous Policies:

Legal References: RCW 28A.320.140 Schools with Special Standards – Dress Codes

Management Resources: Oregon National Organization for Women Model Dress Code

 <p>SEATTLE PUBLIC SCHOOLS</p>	<p>STUDENT DRESS</p>	<p>Policy No. 3224</p> <p>[DATE]</p> <p>Page 1 of 3</p>
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It is the policy of the Seattle School **Board** that the student and their parent/guardian hold the primary responsibility in determining the student's personal attire, jewelry, and personal items (e.g. backpacks, book bags). Schools are responsible for assuring **that** student attire, jewelry, and personal items do not interfere with the health or safety of any student and **does** not contribute to a hostile or intimidating environment for any student.

### Core Values

In relation to student dress, the district's core values are the following:

- **SAll** students should be able **to** dress for school in a manner that expresses their individuality without fear of unnecessary discipline or body shaming;
- **SAll** students have the right to be treated equitably. ~~and dress~~ **Dress** code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity;
- **SAll** students and staff are responsible for managing their personal ~~ddistractionss; and; and~~
- Students should not face unnecessary barriers to school attendance.

### Universal Dress Code

Students must wear:

- Top (shirt, blouse, sweater, sweatshirt, tank, etc.);
- Bottom (pants, shorts, skirt, dress, etc.); and
- Footwear.



This policy permits additional student attire requirements when necessary to ensure safety in certain academic settings (e.g. physical activity, science or CTE courses). Additionally, this policy allows for reasonable variation in required student attire for participation in activities such as swimming or gymnastics.

- ~~(activity specific shoes may be required for safety, e.g. physical activity, outdoor activity, science labs, etc.).~~

Students may not wear clothing, jewelry, ~~and~~or personal items that:

- Are pornographic, obscene, contain threats, or that promote illegal or violent conduct such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia;
- Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups;
- Intentionally show private parts (nipples, genitals, buttocks). Clothing must cover private parts in opaque (not able to be seen-through) material;
- Cover the student's face to the extent that the student is not identifiable (except clothing/headgear worn for a religious or medical purpose); or
- Demonstrate gang association/affiliation.

~~This policy permits variation in required student dress when necessary for participation in specific activities (e.g. swimming).~~

Clothing Attire worn in observance of a student's religion are not subject to this policy.

This policy permits schools with a uniform policy to continue having a uniform policy so long as provided that it the uniform policy is gender neutral and inclusive of clothing attire worn for a religious reason.

### Enforcement

Principals are required to ~~take steps to~~ ensure that all staff are aware of and understand the guidelines of this policy.

Staff will use reasonable efforts to avoid dress-coding students in front of other students.

Students may shall not be disciplined or removed from class as a consequence for wearing attire in violation of this policy unless the attire creates a substantial disruption to the educational environment, creates poses a hazard to the health or safety of others, or is a factors into a student behavior rule violation such as

malicious harassment or the prohibition on harassment, intimidation, and bullying. Further, no student shall be referred to as “a distraction” due to their attire.

~~However, a student may be instructed to leave their classroom briefly to change clothes. The Principal or their designee should notify a student’s parents/guardians of the school’s response to violations of the student dress policy.~~ Typical consequences for a violation of this policy would include parent/guardian contact or conference and the directive to cover, -change, or remove the non-complying ~~clothing or change clothes~~ attire. A student may be instructed to leave their classroom briefly to change clothes. If the student is wearing clothing that is a safety hazard and not otherwise exempted, the Principal or their designee may direct the student to remove or replace that article of clothing. The Principal or their designee should notify a student’s parents/guardians of the school’s response to violations of the student dress policy.

The Superintendent or their designee is authorized to develop procedures in order to implement this policy if needed.

Adopted: [date]

Revised:

Cross Reference: Policy Nos. 3200; 3207; 3433

Related Superintendent Procedure:

Previous Policies:

Legal References: RCW 28A.320.140 Schools with Special Standards – Dress Codes

Management Resources: Oregon National Organization for Women Model Dress Code

A RESOLUTION of the Seattle Council PTSA to standardize dress code and provide guidelines to ensure equitable enforcement of the code across the Seattle Public School district.

WHEREAS, Meaningful learning occurs in environments that are safe, positive, consistent, and predictable. When the principles of cultural intelligence, safety, respect, honesty, accountability, and equity are exhibited throughout a system, trusting relationships result and excellence for each student can be achieved;

WHEREAS, SCPTSA is a voice for every student and advocates for the well-being and education of all students;

WHEREAS, Currently, dress codes vary across schools and are enforced with discretion of individual staff;

WHEREAS, Individual-level discretion provides opportunity for implicit and explicit bias, discrimination, inconsistent enforcement and negative interaction;

WHEREAS, Student learning should not be compromised because of biased applications of the dress code, nor should students fear unnecessary discipline or body shaming because of clothing;

WHEREAS, the Seattle Public School District (SPSD) values cultural competency, racial diversity, diversity of gender expression, parenthood status and promotes enforcement practices that respect the student:

WHEREAS, SPSPD has the authority to provide a standardized dress code for all district schools, reduce incidence of discrimination, and improve equity;

This dress code aims to standardize dress requirements, reduce incidences of discrimination, prevent biased enforcement and shall be applied to all SPSPD schools:

Students must wear:

- Clothing that fully covers genitals, buttocks, and nipples with opaque material
- Footwear: shoes or sandals
- Clothing/footwear that is suitable for all scheduled classroom activities including physical education, recess and field trips

Students may not wear:

- Clothing with violent language or images, or depictions of weapons;
- Language or images showing drugs (legal or illegal), alcohol, that indicate gang affiliation or any illegal activity;
- Hate speech, profanity, pornography;

- Language or images that create a hostile or intimidating environment based on any class or consistently marginalized group;
- Clothing that reveals undergarments while student is in an upright position (visible waistbands and visible straps are allowed);
- Any item that covers the face (except as religious observance or for medical reasons).

School staff shall consistently follow these requirements:

- Dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity.
- Students will not be shamed or required to pass any kind of dress code compliance in front of other students. This includes not calling attention to student clothing choices in the classrooms, hallways, and other shared spaces.
- Students will not be accused of “distracting” other students with clothing.
- Concerns about possible dress code violations will be directed to school administrators, who will be responsible for discerning whether the violation concern is valid and assigning appropriate consequences. Consequences can include asking students to find an alternative to their outfit (a sweater/jacket or pants already at school), calling parents or guardians to bring alternative clothing, or other disciplinary action.
- School administrators are required to ensure that all staff members are aware of and understand these guidelines.

NOW THEREFORE, BE IT RESOLVED, that a standardized, anti-bias and gender-neutral dress code, enforced equitably, will be employed throughout the Seattle Public Schools District.

**Comparative Analysis of the SCPTSA’s Dress Code Resolution with the Seattle Public School District’s Draft Resolution  
07JUN2019 - DRAFT**

	<b>SCPTSA Resolution</b>	<b>Seattle Public Schools Draft</b>	<b>Are the Policies Aligned</b>
Does the policy apply to all schools throughout the district?	Yes	Yes	Yes
Are schools that require uniforms exempted?	No	No	Yes  Exemption for school within the district that require uniforms should be added to both policies
Does the policy include equity language	Yes	Yes	Yes
Does the policy explicitly disallow biased enforcement	Yes  “Dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity.”	Yes  “All students have the right to be treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style;”	No  Suggest expansion and reframing of district draft code’s position to better capture responsibility of district with respect to enforcement.
Is the policy gender neutral	Yes	Yes	Yes

<p>What is required clothing (must wear)</p>	<p>“-Clothing that fully covers genitals, buttocks, and nipples with opaque material</p> <p>-Footwear: shoes or sandals</p> <p>-Clothing/footwear that is suitable for all scheduled classroom activities including physical education, recess and field trips”</p>	<p>“-Top (shirt, blouse, sweater, sweatshirt, dress, etc.);</p> <p>-Bottom (pants, shorts, skirt, dress, etc.); and</p> <p>-Footwear (activity-specific shoes may be required for safety, e.g. physical activity, outdoor activity, science labs, etc.)”</p>	<p>No</p> <p>Some misalignment here, SCPTSA calls for opaque material covering buttocks, nipples and genitals. These requirements are mentioned under prohibited or “must not wear”</p>
<p>What is prohibited clothing – must not wear</p>	<p>“-Clothing with violent language or images, or depictions of weapons;</p> <p>-Language or images showing drugs (legal or illegal), alcohol, that indicate gang affiliation or any illegal activity;</p> <p>-Hate speech, profanity, pornography;</p> <p>-Language or images that create a hostile or intimidating environment based on any class or consistently marginalized group;</p> <p>-Clothing that reveals undergarments while student is in an upright position (visible waistbands and visible straps are allowed);</p> <p>-Any item that covers the face (except as religious observance or for medical reasons). “</p>	<p>“-Are vulgar, pornographic, obscene, libelous, contain threats, or that promote illegal or violent conduct such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia;</p> <p>-Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups;</p> <p>-Intentionally show private parts (nipples, genitals, buttocks). Clothing must cover private parts in opaque (not able to be seen-through) material;</p> <p>-Cover the student’s face (except clothing/headgear worn for a religious or medical purpose); or</p>	<p>Yes</p> <p>Suggest explicit definition of vulgar and libelous or removal of such from district’s policy needed. This can be subjective</p>

		-Demonstrate gang association/affiliation.”	
Does the policy allow removal from class	Yes	Yes Removal from class allowed for safety reasons or for violations of student behavior code of conduct	Yes  Not as a result of routine violations
Does the policy allow removal from school	Yes	Yes	Yes  Not as a result of routine violations
Does the policy state that dress coding may be a barrier to school attendance	Yes	Yes	Yes
Does the policy allow students to be coded in sight of other students	No	Unclear	No
Does the policy prohibit the use of the term "distracting" in reference to student attire	Yes	Yes	Yes
Does the policy exempt clothing worn for religious observance	Yes	Yes	Yes  Stated explicitly in School District's draft
Does the policy allow hoodies?	Yes	Yes	Yes
Does the policy allow clothing or attire for specific activities	Yes	Yes	Yes  Stated explicitly in the School District's draft,

such as swimming class?			by omission the SCPTSA resolution
Does the policy explicitly mention parenthood	Yes	No	No
Does the policy make exception for schools that have uniforms	No	No	Yes
Does the policy regulate hair style	No	No	Yes
Does the policy allow visible bra straps	Yes	Yes	Yes  Stated explicitly in SCPTSA policy, implied by omission in School Board's draft
Does the policy allow visible waist bands	Yes	Yes	Yes  Stated explicitly in SCPTSA policy, implied by omission in School Board's draft
Does the policy allow visible midriffs	Yes	Yes	Yes
Does the policy describe enforcement	Yes  Concerns about possible dress code violations will be directed to school administrators, who will be responsible for discerning whether the violation concern is valid and assigning appropriate consequences. Consequences can include asking	Yes  Students may not be disciplined or removed from class as a consequence for wearing attire in violation of this policy unless the attire creates a substantial disruption to the educational environment, creates a	Yes



	<p>students to find an alternative to their outfit (a sweater/jacket or pants already at school), calling parents or guardians to bring alternative clothing, or other disciplinary action.</p>	<p>hazard to the health or safety of others, or is a factor in a student behavior rule violation such as malicious harassment or the prohibition on harassment, intimidation, and bullying. However, a student may be instructed to leave their classroom briefly to change clothes. The Principal or their designee should notify a student's parents/guardians of the school's response to violations of the student dress policy. Typical consequences would include parent/guardian contact or conference and the directive to cover the non-complying clothing or change clothes. If the student is wearing clothing that is a safety hazard and not otherwise exempted, the Principal or their designee may direct the student to remove or replace that article of clothing.</p>	
<p>Does the enforcement section affirm non-biased enforcement</p>	<p>Yes          "Dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity."</p>	<p>No</p>	<p>No</p>

Does the policy describe escalation pathways	No	No	-
Does the policy assign responsibility for training on dress code	Yes -School administrators are required to ensure that all staff members are aware of and understand these guidelines.	Yes -The Superintendent or their designee is authorized to develop procedures in order to implement this policy.	Yes This is approached differently in the documents

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